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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ROBERTO EDUARDO HERNANDEZ LEON,

Plaintiff,

v.

MERRICK GARLAND, Attorney General of
the United States, *et al.*,

Defendants.

C 3:23-cv-04901 LJC

**STIPULATION TO EXTEND TIME WITHIN
WHICH DEFENDANTS MUST FILE A
RESPONSE AND ORDER**

The parties, through their undersigned attorneys, hereby stipulate to an extension of time within which the Defendants must serve the answer or otherwise respond in the above-entitled action.

Defendants will file their response on or before December 28, 2023.

The parties further request a corresponding extension on the deadline for filing a summary judgment motion under the Court's Immigration Mandamus Procedural Order. Currently, if Plaintiff has not filed a motion for summary judgment by 90 days after the Complaint was filed, or December 26, 2023, Defendants must file a motion for summary judgment by 120 days after the Complaint was served, January 29, 2024. In light of the agreed-upon extension for Defendants' response to the Complaint, the parties request that, if Plaintiff has not filed a motion for summary judgment by

January 25, 2024, Defendants must file their motion for summary judgment by February 28, 2024. In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all signatories listed herein concur in the filing of this document.

Dated: November 27, 2023

Respectfully submitted,

ISMAIL J. RAMSEY
United States Attorney

s/ Elizabeth D. Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney
Attorneys for Defendants

Dated: November 27, 2023

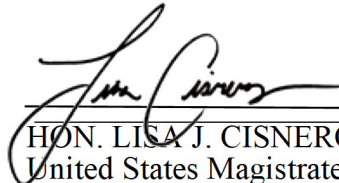
s/ Josh F. Sigal
JOSH F. SIGAL
Sigal Law Offices
Attorney for Plaintiff

ORDER

The current deadline for Defendants to serve and file an answer or otherwise respond to the complaint is November 28, 2023. The parties stipulate to a thirty-day extension, which would extend the deadline to December 28, 2023. The parties' stipulation is hereby **GRANTED**. The parties' stipulation for a corresponding extension to the deadline for filing a summary judgment motion is also **GRANTED**, and the deadlines shall be as noted above in accordance with the Immigration Mandamus Procedural Order.

Pursuant to stipulation, IT IS SO ORDERED.

Date: November 27, 2023



HON. LISA J. CISNEROS
United States Magistrate Judge

DECLARATION OF ELIZABETH D. KURLAN

I, Elizabeth D. Kurlan, declare and state as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Northern District of California and counsel of record for the federal Defendants in the above-captioned action.

2. On September 25, 2023, Plaintiff filed a complaint in which he brings an action challenging United States Citizenship. *See* Dkt. No. 1. Our office was served with the complaint on September 29, 2023.

3. On November 20, 2023, I contacted Plaintiff regarding Defendants' request for an extension of time to prepare their response to the complaint, and Plaintiff consented to the request.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: November 27, 2023

s/ Elizabeth D. Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney